(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

WRIT PETITION (CIVIL) NO. 390 OF 2004

PETITIONERS :

1. Bharti Cellular Limited
A company incorporated under the Companies Act, 1956 having its Registered office at Qutab Ambiene,
H-5/12, Mehrauli Road,
New Delhi 110 030.
Having a Local office also at:
Navbharat, Udyog Bhavan, Ringroad No. 1, Telibandha, Raipur, Chhattisgarh.

P.R. No. 376/04
Presented by Shri Sachin Singh Rajpur
dated 05.02.04

2. Mr. Raju Thomas, Senior Engineer, Bharti Cellular Limited, Navbharat, Udyog Bhavan, Ringroad No. 1, Telibandha, Raipur, Chhattisgarh.

RESPONDENTS :

1. Municipal Corporation of Rajnandgaon
Through: The Commissioner
RAJNANDGAON
(CHHATTISGARH).

RECEIVED COPY
5.2.04
Clerk to A. G. Bilaspur

Attested
3.2.04

2. State of CHHATTISGARH
Through its Secretary, Department of Urban Administration, Mantralaya, DKS Bhavan, GE ROAD, RAIPUR.

A.R.2.

Deleted as per order of the Hon'ble court dt. 17/2/04.
20/02/04.

PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

1. **Particulars of the Petitioners**:
As mentioned in the cause title above.

2. **Particulars of the Respondents**:
As mentioned in the cause title above.

3. **Particulars of the Orders against which this petition is made**:

XI-HC-22

(94)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No. 390 सन् /2004

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

17.02.2004

Shri S.S. Rajput, counsel for the petitioners.

Shri Anand Shukla, counsel for respondent no.1

Shri Sanjay K. Agrawal, Deputy Advocate General for respondent no.2.

Learned counsel for the petitioners submitted that an application (I.A.No.1110/2004) for deleting the name of State/respondent no.2 has been filed. Prayer not opposed.

Application is allowed. Name of the State/respondent No.2 be deleted subject to cost of Rs.100/-

Counsel for the parties submits that the application is pending, which has not yet been decided. It is also pointed by respondent no.2 that no representation has been made. Shri Shukla, appearing for respondent no.1/Corporation submits that straight way this petition has been filed.

Counsel for the petitioner submits that in view of the notice, they apprehend that the tower may be dismantled.

Under the facts and circumstances of the case, it is directed that if the petitioner makes a representation and/or submits an application for grant of N.O.C. and pay prescribed fee as per the rules, within 10 days from today, the same shall be considered and decided by the respondent Corporation expeditiously on its own merits in accordance with law.

- 2 -

[पीछे देखिये

(95)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Parties are at liberty to avail remedy under the law if any cause of action ~~still~~ Meanwhile survives.

It is also directed that dismantling will not be made till the decision on the application/representation.

With the direction/observation aforesaid, this petition stands disposed of.

In view of the above order, I.A.No.904 of 2004 and M.W.P. 340 of 2004 stand disposed of.

C.c. as per rules.

Sd/-
Fakhruddin
Judge